

**ZB# 04-77**

**Joan Kaiser**

**18-2-2**

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553

*Granted 1-10-05*

ZBA # **04-77** JOAN KAISER (USE)  
25 WALNUT ST. (18-2-2-)

**NEW WINDSOR ZONING BOARD OF APPEALS**

**SBL: 18-2-2-**

**In the Matter of the Application of**

**JOAN KAISER**

**MEMORANDUM OF  
DECISION GRANTING**

**INTERPRETATION  
AND/OR USE VARIANCE**

**CASE #04-77**

**WHEREAS, Joan Kaiser** , owner(s) of 25 Walnut Street, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for Interpretation and/or Use Variance for Existing Single-Family home with two kitchens (bulk tables 300-8; A) at 25 Walnut Street in an R-4 Zone (18-2-2-)

**WHEREAS**, a public hearing was held on January 10, 2005 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, the Applicant appeared on behalf of this Application; and

**WHEREAS**, there were no spectators appearing at the public hearing; and

**WHEREAS**, no one spoke in favor of or in opposition to the Application; and

**WHEREAS**, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
  - (a) The property is a residential property located in a neighborhood of residential properties.
  - (b) The appicant proposes to finish a space above the existing garage to house his daughter.
  - (c) The new space will be served by the same utility service which serves the remainder of the house.



# **Town of New Windsor**

**555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689**

## **OFFICE OF THE ZONING BOARD OF APPEALS**

May 25, 2005

Joan Kaiser  
25 Walnut Street  
New Windsor, NY 12553

**SUBJECT: REQUEST FOR VARIANCE #04-77**

Dear Ms. Kaiser:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

---

Myra Mason, Secretary to the  
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

- (d) It is the applicant's desire to maintain this as a single-family residence and the space is being created for the use by an immediate family member.
- (e) If the variance is granted, the applicant does not intend to alter the outside or façade of the house. No trees or substantial vegetation will be removed in connection therewith.
- (f) The new addition will not create the ponding or collection of water or divert the flow of water drainage.
- (g) The property does not encroach on any easements, including but not limited to, water, sewer and electric.

**WHEREAS,** The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. This property is a single-family residence.
2. The applicant has living with him a member of his family which, under the Town of New Windsor Zoning Code falls within the definition of single-family
3. The fact that this premises contains two kitchens does not make it a two-family residence. Notwithstanding the existence of two kitchens, the house is a single-family residence and its status as such has not changed.

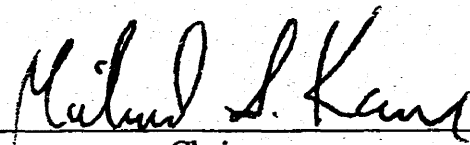
**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for Interpretation and/or Use Variance for Existing Single-Family home with two kitchens (bulk tables 300-8; A) at 25 Walnut Street in an R-4 Zone (18-2-2-) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED,** that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: January 10, 2005

  
Chairman

**OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO  
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

**DATE: November 19, 2004**

**APPLICANT: Joan Kaiser  
25 Walnut St.  
New Windsor, NY 12553**

**PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 11/16/04**

**FOR : Joan Kaiser**

**LOCATED AT: 25 Walnut St.**

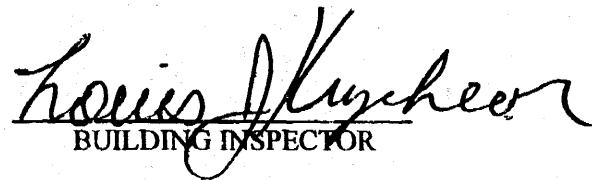
**ZONE: R-4 Sec/Blk/ Lot: 18-2-2**

**DESCRIPTION OF EXISTING SITE: Existing single family with two kitchens**

**IS DISAPPROVED ON THE FOLLOWING GROUNDS:**

**1. 300-8 Table of use/bulk regulations R-4 zone Column A, two-family dwellings are not permitted in the R-4 zone. A use variance to permit a two-family dwelling or interpretation that this is a single family dwelling with two kitchens is required.**

**COPY**

  
BUILDING INSPECTOR

**PERMITTED**

**PROPOSED OR  
AVAILABLE:**

**VARIANCE  
REQUEST:**

**ZONE: R-4    USE: Single  
Family**

**Two family**

**Two family or interpretation  
as single family with two  
kitchens**

**MIN LOT AREA:**

**MIN LOT WIDTH:**

**REQ'D FRONT YD:**

**REQ'D SIDE YD:**

**REQ'D TOTAL SIDE TD:**

**REQ'D REAR YD:**

**REQ'D FRONTAGE:**

**MAX BLDG HT:**

**FLOOR AREA RATIO:**

**MIN LIVABLE AREA:**

**DEV COVERAGE:**

**cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP**

(3)

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
**IMPORTANT**  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.

RECEIVED

NOV 16 2004

6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified **BUILDING DEPARTMENT** plan. Siding is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

FOR OFFICE USE ONLY:  
Building Permit #: 2004-1432

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

X Owner of Premises JOAN KAISER

X Address 25 WALNUT AVE NEW WINDSOR Phone # 561 8992

X Mailing Address 25 WALNUT AVE NEW WINDSOR Fax # \_\_\_\_\_

Name of Architect EXISTING

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of Contractor EXISTING

Address \_\_\_\_\_ Phone \_\_\_\_\_



State whether applicant is owner, lessee, agent, architect, engineer or builder

If applicant is a corporation, signature of duly authorized officer

(Name and title of corporate officer)

1. On what street is property located? On the \_\_\_\_\_ side of \_\_\_\_\_  
(N, S, E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_

2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y \_\_\_\_\_ N \_\_\_\_\_

3. Tax Map Description: Section 18 Block 2 Lot 2

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy

One Family (2) Kitchens

b. Intended use and occupancy

5. Nature of work (check if applicable)

☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other

Existing Alterations:

6. Is this a corner lot? \_\_\_\_\_

One Family w/ Two Kitchens

7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. of stories \_\_\_\_\_

8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_

Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_  
Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost \_\_\_\_\_

Fee

50.00

ch# 1759

**ZONING BOARD**

OK'd

**PAID**

S

(3)

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
**IMPORTANT**  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

\_\_\_\_/\_\_\_\_/\_\_\_\_  
date

**APPLICATION FOR BUILDING PERMIT**  
**TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK**  
Pursuant to New York State Building Code and Town Ordinances

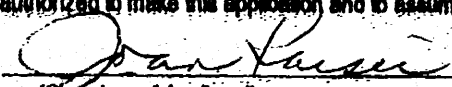
**Building Inspector: Michael L. Babcock**  
**Asst. Inspectors: Frank Lisi & Louis Krychear**  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4618  
(845) 563-4605 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

**INSTRUCTIONS**

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, place or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

  
(Signature of Applicant)

25 Walnut St  
(Address)

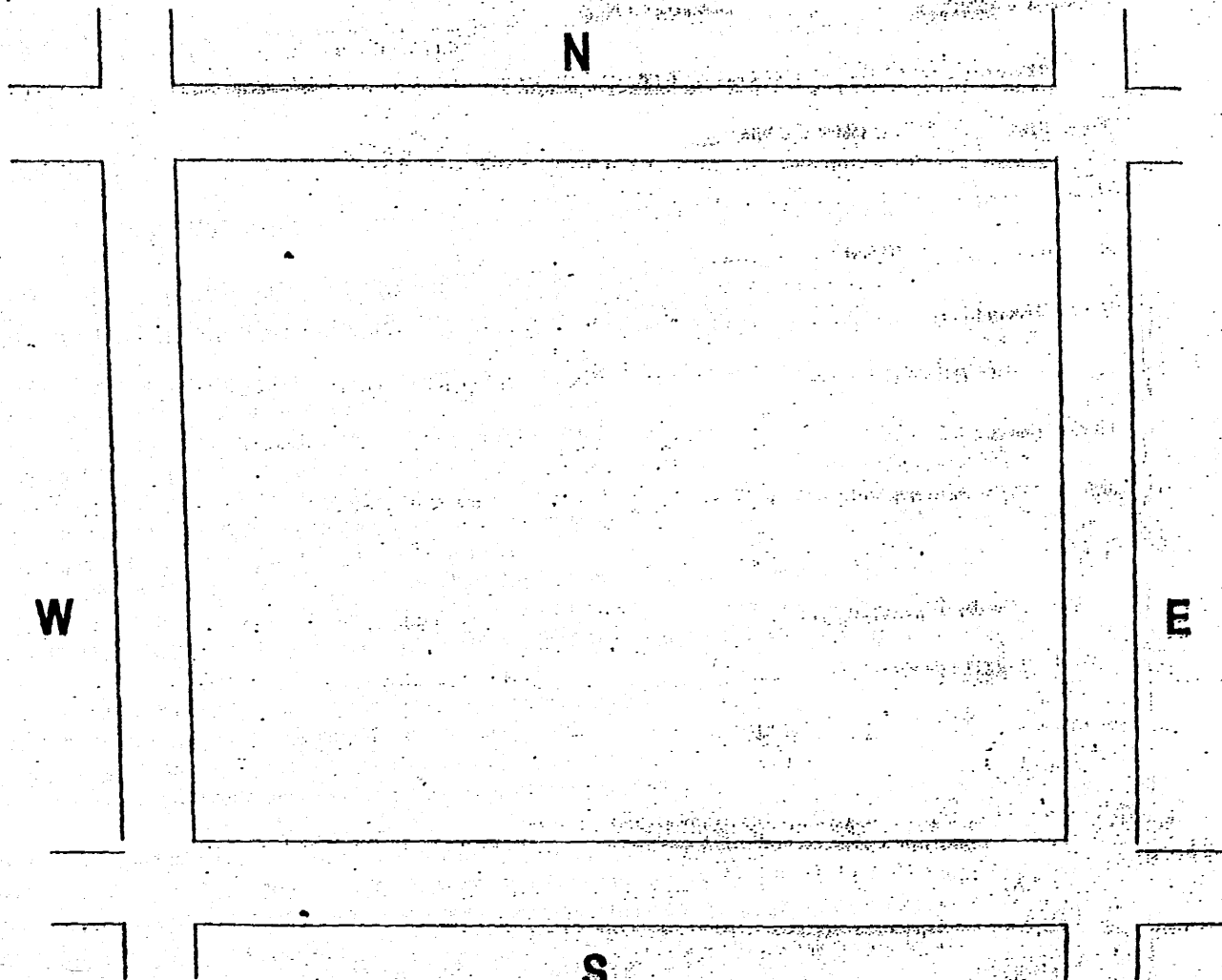
*John Kaiser*  
(Owner's Signature)

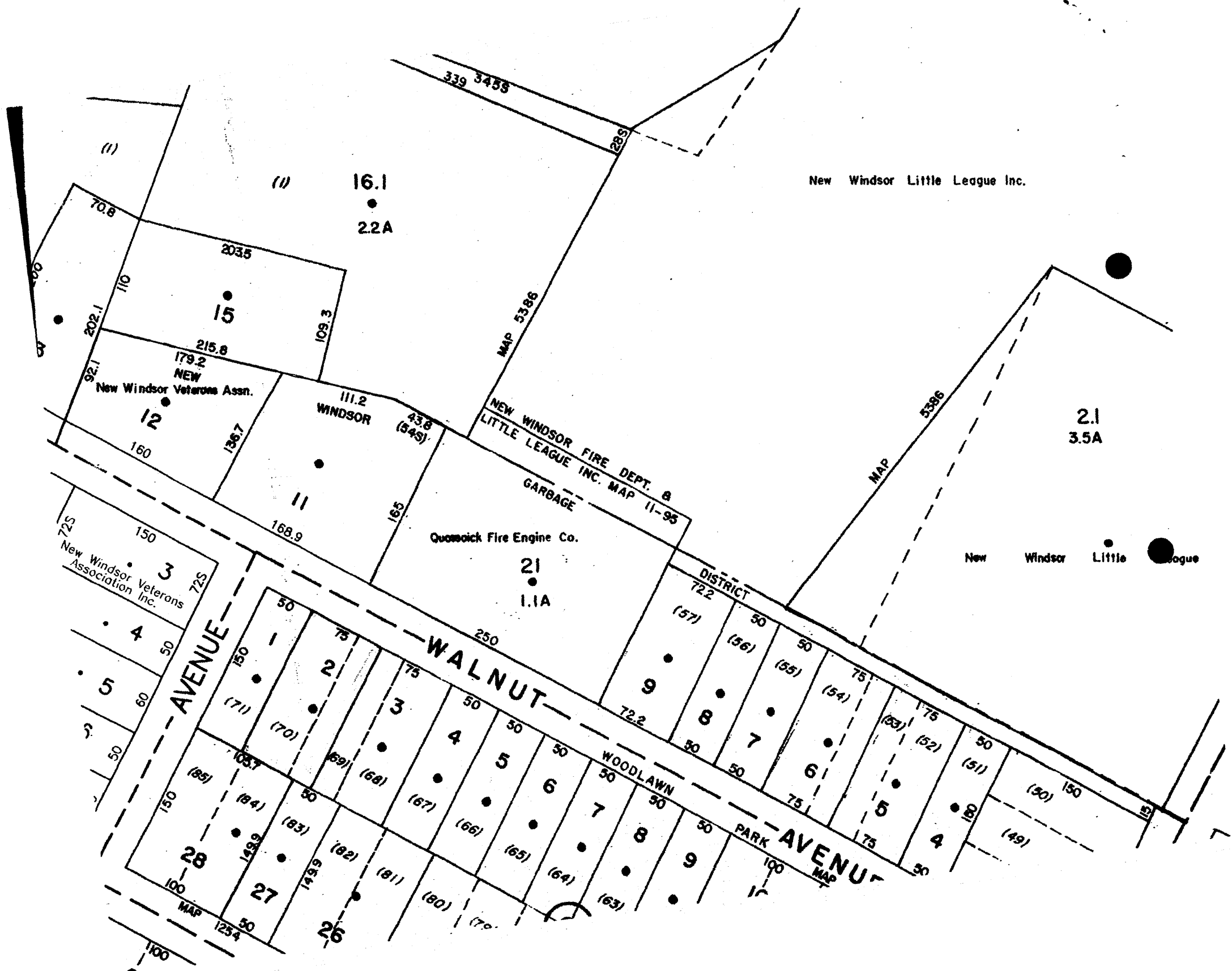
(Owner's Address)

**PLOT PLAN**

**NOTE:**

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.





New Windsor Little League Inc.

2.1  
3.5A

New Windsor Little League

WALNUT

WOODLAWN

PARK AVENUE

AVENUE

(1)

(1)

16.1  
2.2A

15

12

11

21  
1.1A

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2035

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111.2  
WINDSOR

43.8  
(54S)

NEW WINDSOR FIRE DEPT. B  
LITTLE LEAGUE INC. MAP 11-95  
GARBAGE

Quonook Fire Engine Co.

DISTRICT  
722

(57)

(56)

(55)

(54)

(53)

(52)

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NEW  
New Windsor Veterans Assn.

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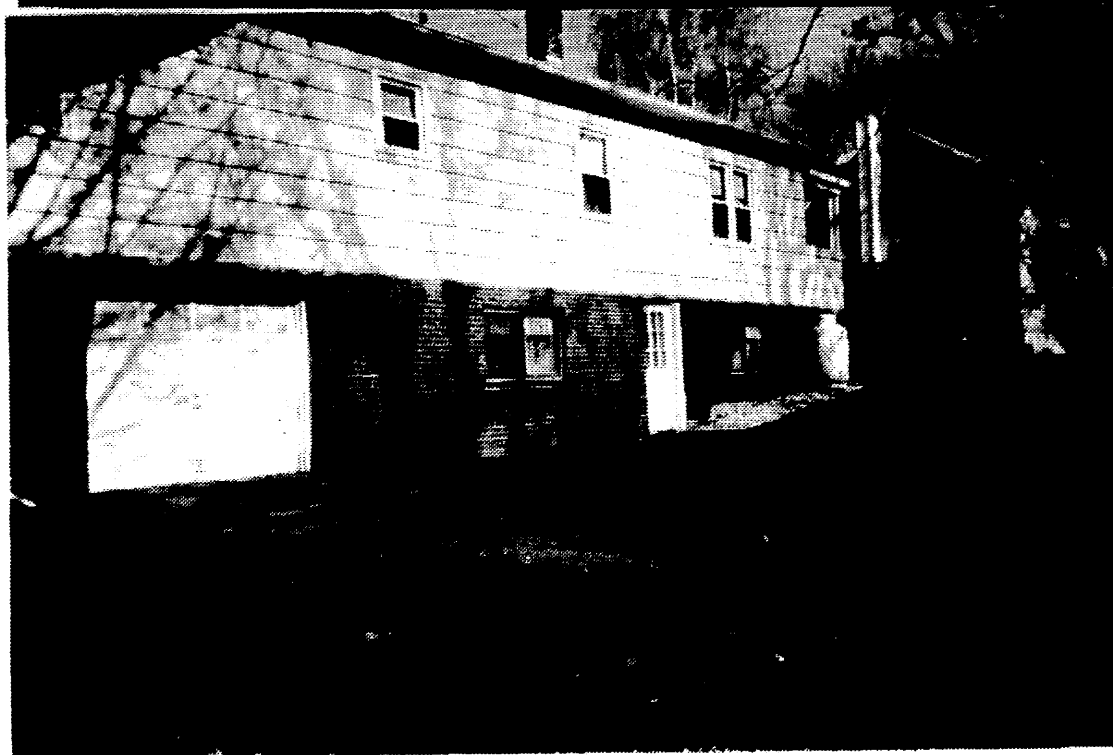
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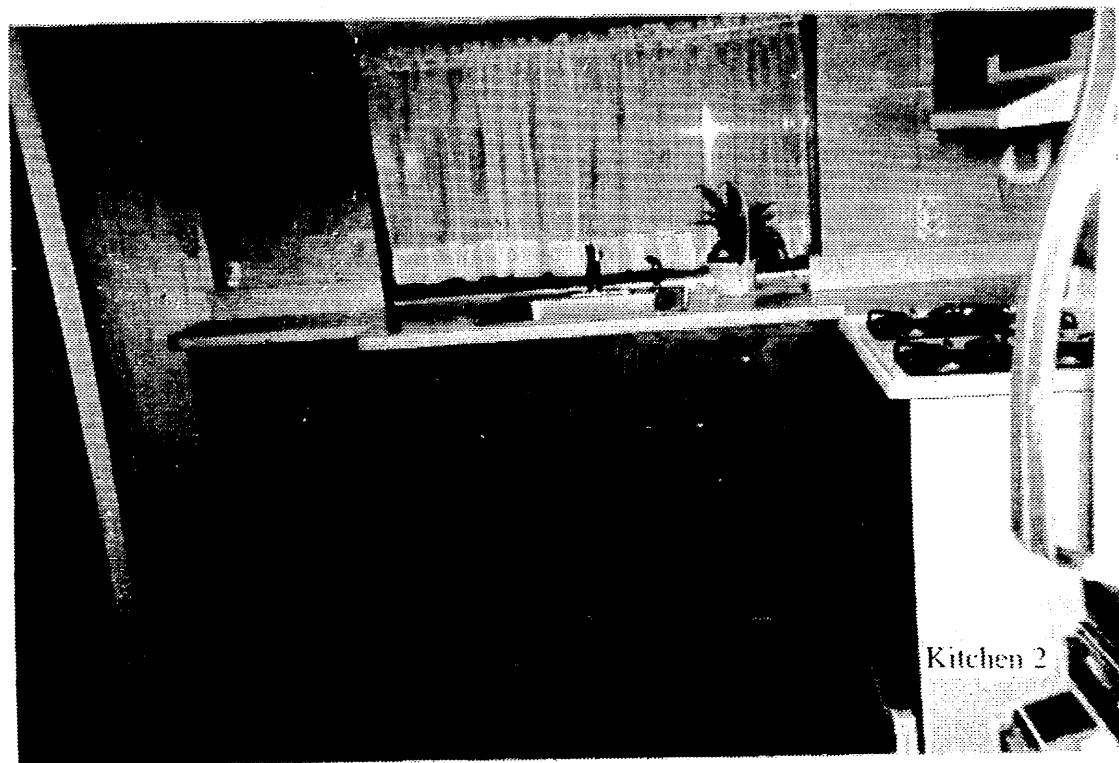
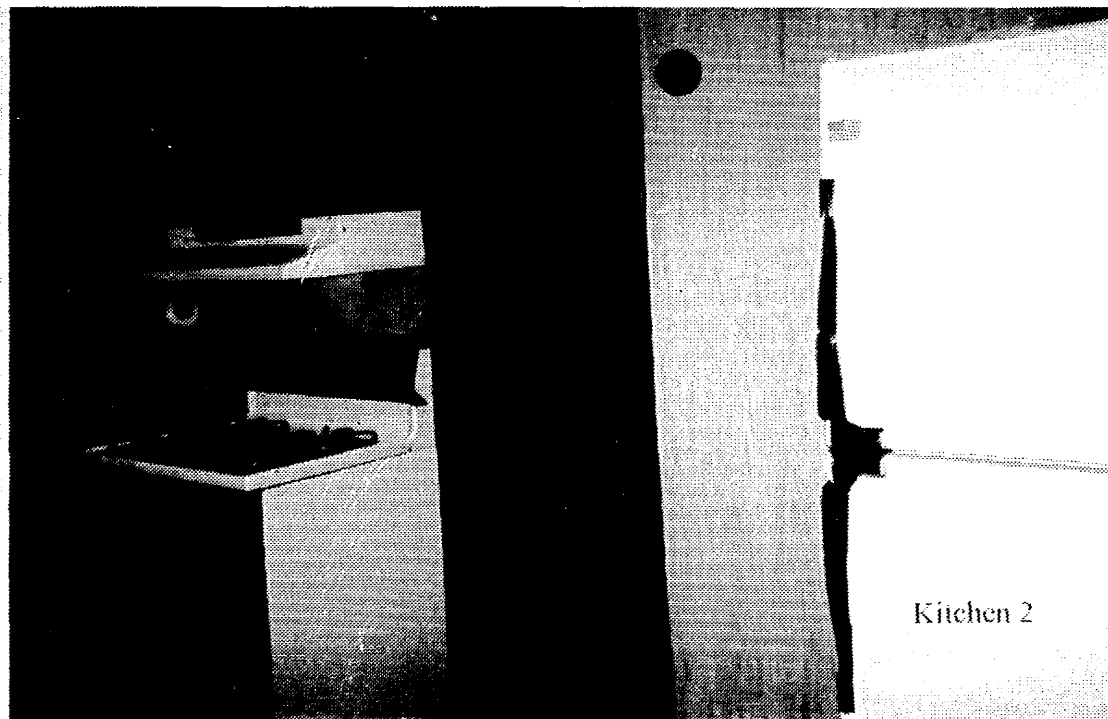
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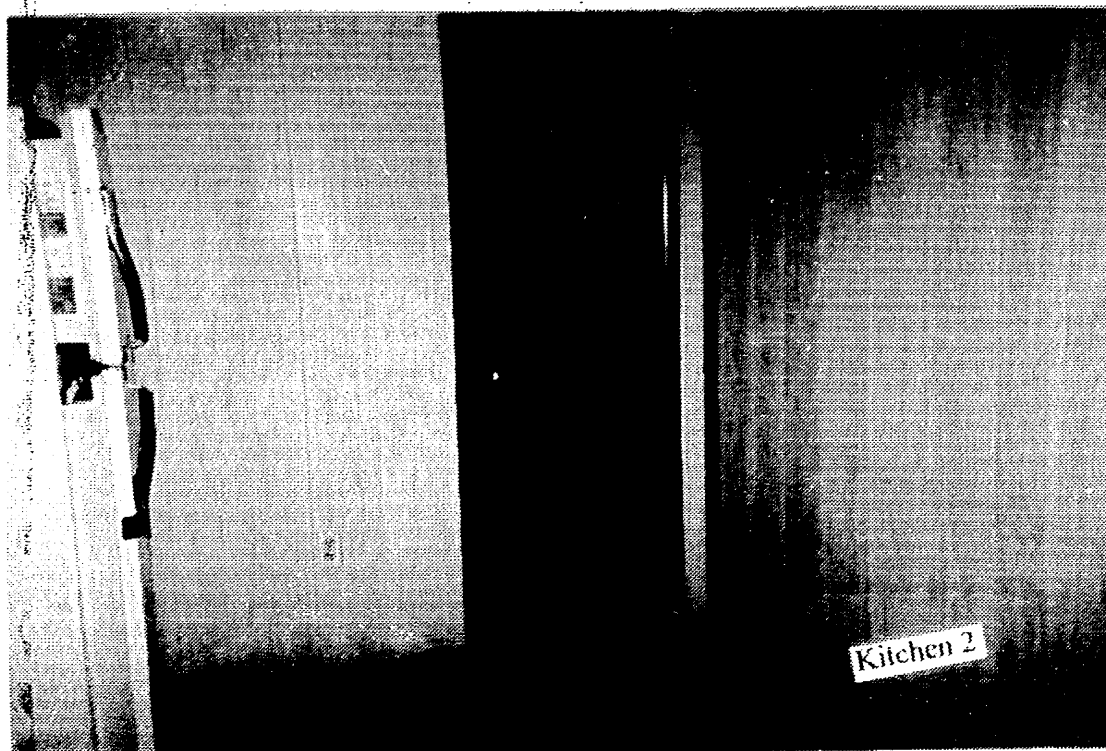
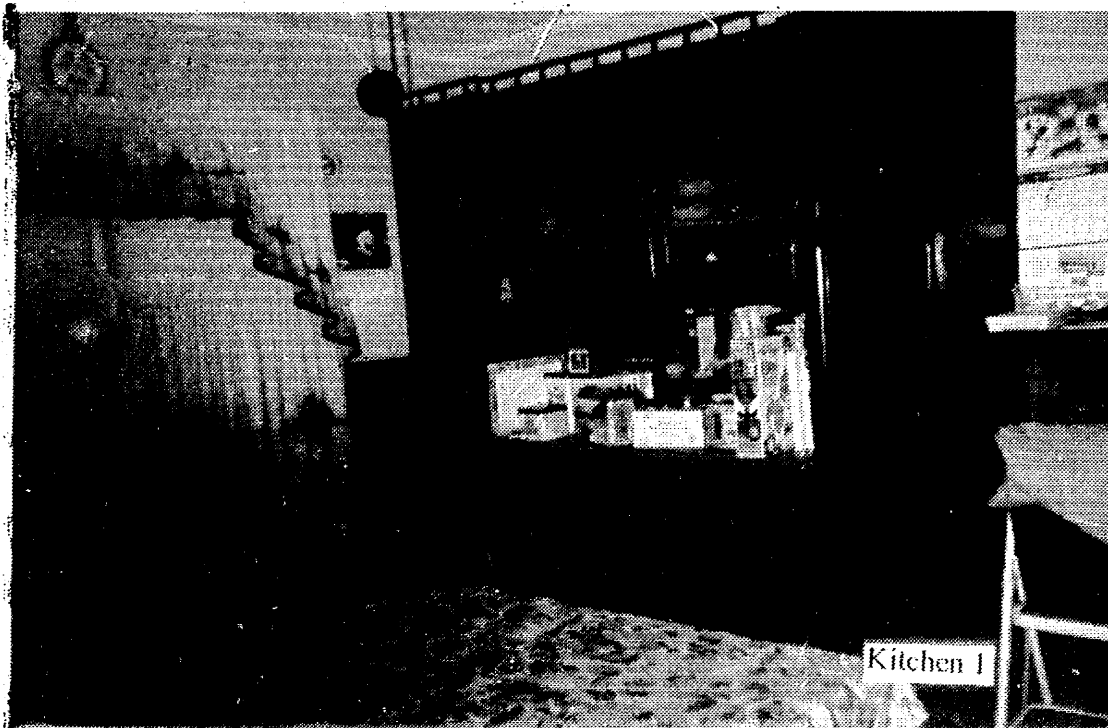


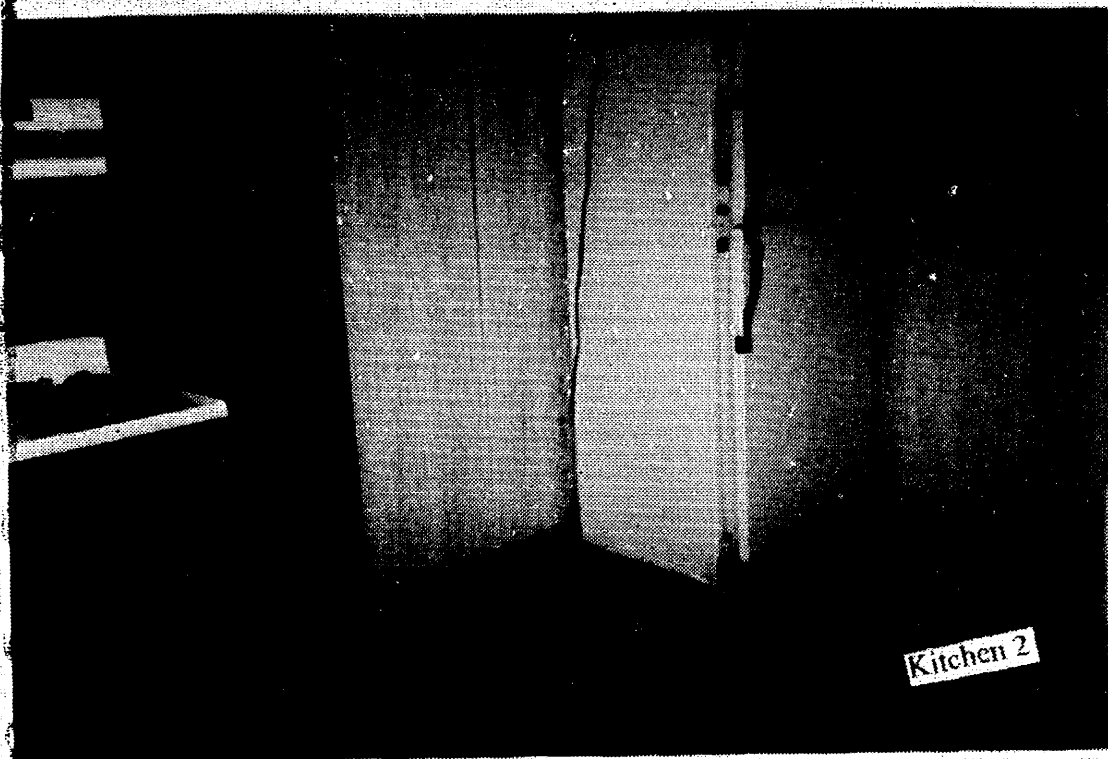




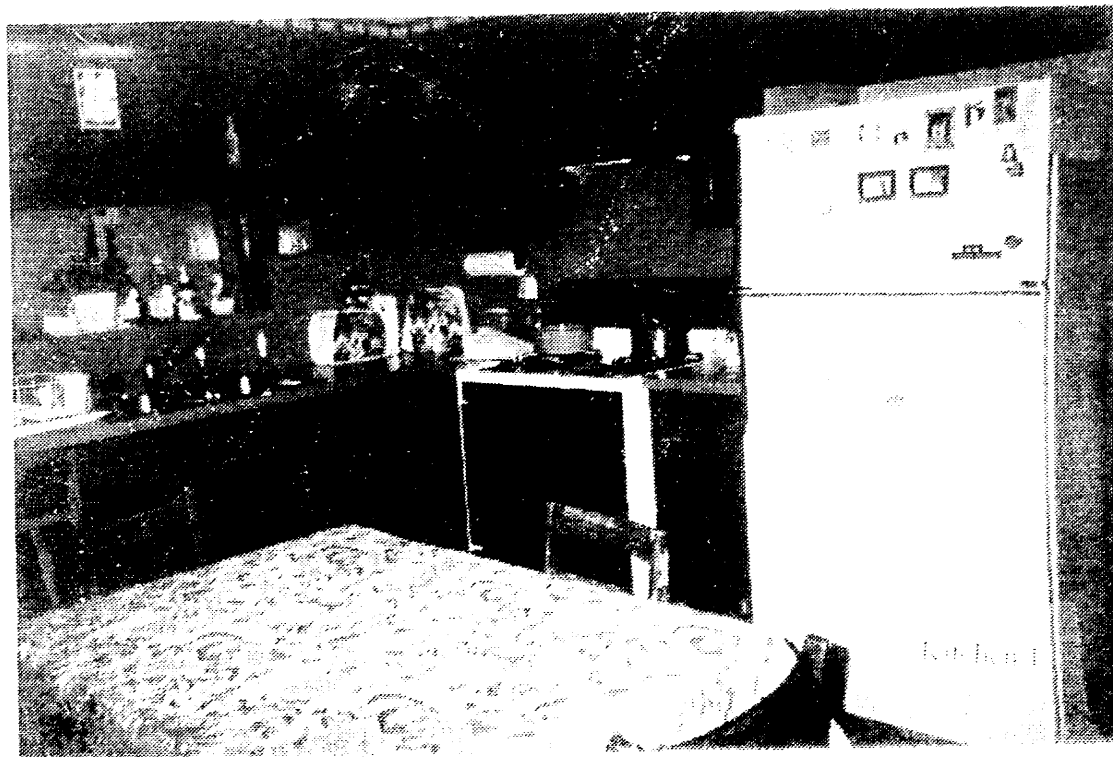
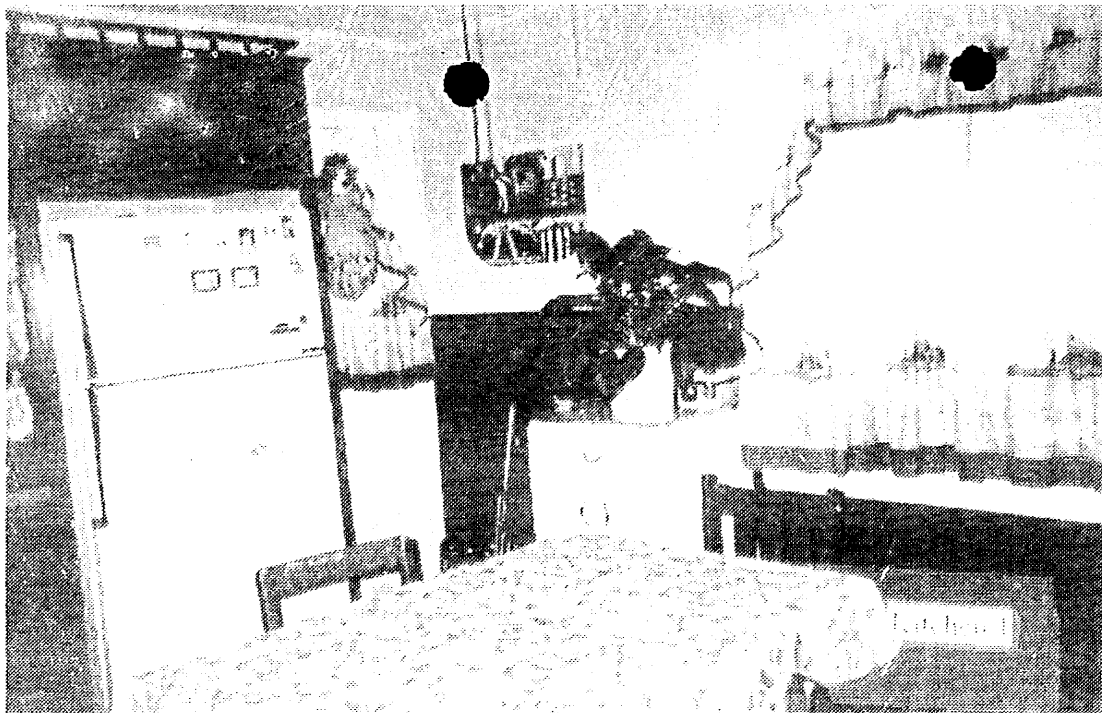


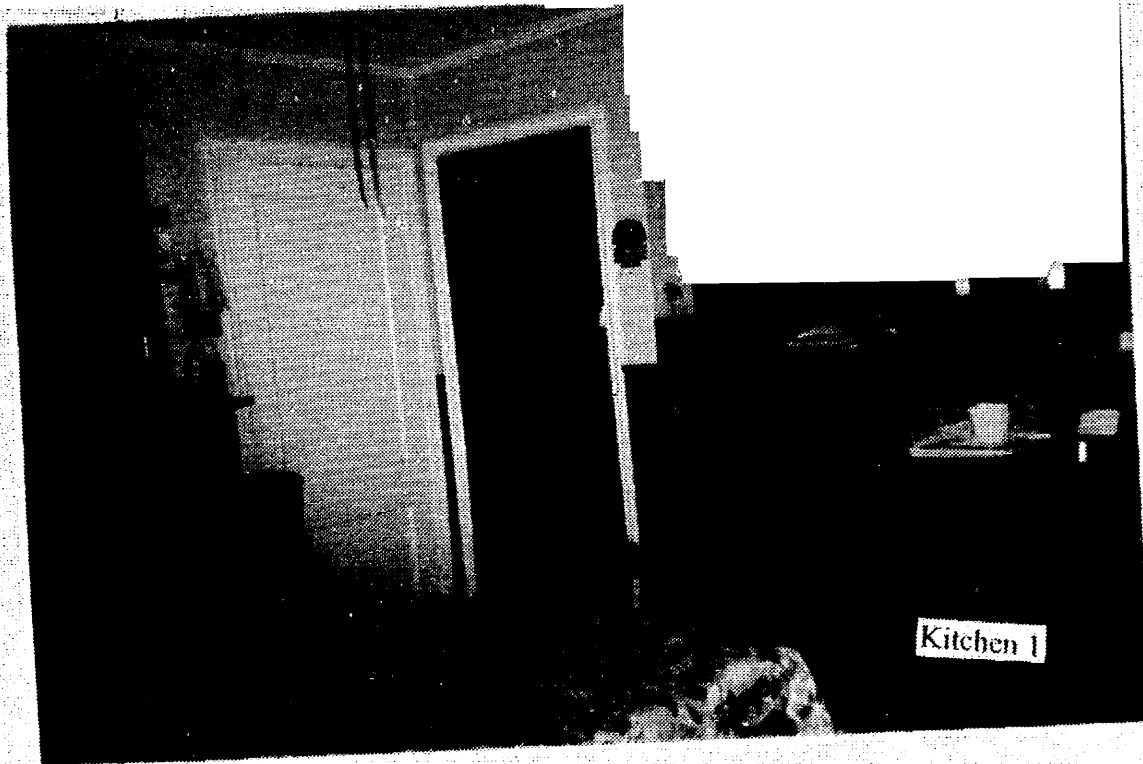






Kitchen 2





**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
OFFICE  
845-563-4615**

**MEMORANDUM**

**TO: LARRY REIS, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: MARCH 29, 2005**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 408.00 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #04-77**

**NAME & ADDRESS:**

**Joan Kaiser  
25 Walnut Street  
New Windsor, NY 12553**

**THANK YOU,**

**MYRA**

**L.R.3-29-2005**



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
RECORD OF CHARGES & PAYMENTS**



FILE #04-77      TYPE: INTERP. AND/OR VARIANCE

APPLICANT Name & Address:

**Joan Kaiser  
25 Walnut Street  
New Windsor, NY 12553**

TELEPHONE:    561-8992

RESIDENTIAL:	\$ 50.00	CHECK # _____
COMMERCIAL	\$ 150.00	CHECK # <u>1775</u>
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:            COMMERCIAL \$500.00            CHECK # 1774

~~~~~

| <u>DISBURSEMENTS:</u>        |                | <u>MINUTES</u><br><u>\$5.50 / PAGE</u> | <u>ATTORNEY</u><br><u>FEE</u> |
|------------------------------|----------------|----------------------------------------|-------------------------------|
| PRELIMINARY:                 | <u>2</u> PAGES | \$ <u>11.00</u>                        | \$ <u>35.00</u>               |
| 2 <sup>ND</sup> PRELIMINARY: | ___ PAGES      | \$ _____                               | \$ _____                      |
| PUBLIC HEARING:              | <u>2</u> PAGES | \$ <u>11.00</u>                        | \$ <u>35.00</u>               |
| PUBLIC HEARING:              | ___ PAGES      | \$ _____                               | \$ _____                      |

TOTAL:            \$ 22.00            \$ 70.00

~~~~~

ESCROW POSTED:            \$ 500.00  
LESS: DISBURSEMENTS:    \$ 92.00

AMOUNT DUE:            \$ \_\_\_\_\_

REFUND DUE:            \$ 408.00

Cc:

JOAN KAISER (04-77)

Ms. Joan Kaiser appeared before the board for this proposal.

MR. KANE: Request for interpretation and/or use variance for existing single-family home with two kitchens at 25 Walnut Street. Just speak up so that Fran can hear you.

MS. KAISER: My home is a single-family home, we have my mother living downstairs and we lived upstairs with my children and my mother moved upstairs and my daughter moved downstairs and it's always been a single-family home, we do have the two kitchens and the two living spaces.

MR. KANE: You have one electric meter, one gas meter coming into the home?

MS. KAISER: Yes.

MR. KANE: And it's your intent to always use this as a single-family home?

MS. KAISER: Yes.

MR. KANE: Any complaints that you know of formally or informally about the two kitchens?

MS. KAISER: No.

MR. KANE: At this point, I will open it up to the public and see if there's anybody here for this particular hearing? Nobody's here, I'll ask Myra how many mailings we had?

MS. MASON: On December 28th, I mailed out 54 envelopes and had no response.

MR. KANE: You're not going to be removing any shrubbery or trees, creating any water hazards?

MS. KAISER: No.

MR. KANE: Any other questions? I'll accept a motion.

MS. GANN: I will offer a motion, Mr. Chairman, that we grant Joan Kaiser's request for an interpretation for the existing single-family home with two kitchens at 25 Walnut Street in an R-4 zone.

MR. REIS: Second it.

ROLL CALL

MS. GANN	AYE
MS. LOCEY	AYE
MR. RIVERA	AYE
MR. REIS	AYE
MR. KANE	AYE





JOAN KAISER (04-77)

Ms. Joan Kaiser appeared before the board for this proposal.

MR. KANE: Request for interpretation and/or use variance for existing single-family home with two kitchens at 24 Walnut Street. Is this two kitchen night? Okay, tell us what you want to do.

MS. KAISER: My mother lived downstairs for, I've owned the home since '81 and my mother lived downstairs for a number of years and then when she got older and she's now 91, I moved her upstairs and my daughter moved downstairs so it's always been a mother-daughter and easy access inside the house, we have one electric, one oil, we use propane for the kitchens, there's two zone heating and shared laundry room.

MR. KANE: Basically, you've always used it is a one-family home and your intent is to keep it as a one-family home?

MS. KAISER: Right but there are two kitchens.

MR. KANE: And as you stated one meter?

MS. KAISER: Yes.

MR. KANE: How long have you guys used it that way?

MS. KAISER: Since I bought it in '81.

MR. KANE: Any other questions, guys?

MR. MINUTA: Just so I can follow my steps here you have owned this since '81?

MS. KAISER: Yes.

MR. MINUTA: And you're before us tonight for what reason, why now are you here?

MS. KAISER: Because I want to sell the house and they said you have to do something about this.

MR. MINUTA: So you're selling the home and you have two kitchens.

MR. KANE: Two kitchens, one meter, been used as two kitchens since 1981.

MR. MINUTA: Okay, I have no further questions.

MR. RIVERA: This is an interpretation then to maintain the home as a single family?

MR. KANE: That's correct.

MR. RIVERA: I'll make a motion that we set up Joan Kaiser for a public hearing for the requested interpretation for use of an existing single family home with two kitchens at 25 Walnut.

MR. MINUTA: Second it.

ROLL CALL

MS. GANN	AYE
MS. LOCEY	AYE
MR. RIVERA	AYE
MR. MINUTA	AYE
MR. KANE	AYE

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR  
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

JOAN KAISER

**AFFIDAVIT OF  
SERVICE  
BY MAIL**

#04-77

\_\_\_\_\_ X

STATE OF NEW YORK )

) SS:

COUNTY OF ORANGE )

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 28TH day of **DECEMBER**, 2004, I compared the 54 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason  
Myra L. Mason, Secretary

10<sup>th</sup> day of January, 2005

[Signature]  
Notary Public

JENNIFER MEAD  
Notary Public, State Of New York  
No. 01ME6050024  
Qualified In Orange County  
Commission Expires 10/30/ 2006

**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

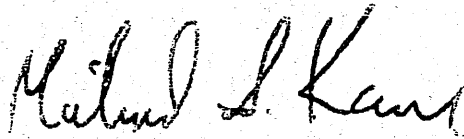
**Appeal No. 04-77**

**Request of JOAN KAISER**

**for a VARIANCE of the Zoning Local Law to Permit:**

**Request for Interpretation and/or Use Variance for Existing Single-Family home with two kitchens (bulk tables 300-8; A) at 25 Walnut Street in an R-4 Zone (18-2-2-)**

**PUBLIC HEARING will take place on JANUARY 10, 2005**  
**at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York**  
**beginning at 7:30 P.M.**



---

**Michael Kane, Chairman**



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## ZONING BOARD OF APPEALS

December 22, 2004

Joan Kaiser  
25 Walnut Street  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-77

Dear Ms. Kaiser:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this add. This is not included in the escrow you posted upon application.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

25 Walnut Street  
New Windsor, NY

is scheduled for the JANUARY 10, 2005 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm

December 12, 2004

Joan Kaiser

04-77

**P.B.#**

**NEED: EAF**

## PROXY

**NEGATIVE DEC:** M) S) VOTE: A N

CARRIED: Y N

CARRIED: Y N

APPROVED: M)        S)        VOTE: A        N       

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

CARRIED: Y N

**SCHEDULE PUBLIC HEARING:**

M) Rv S) MN

VOTE: A 5 N O

A  
A  
A

CARRIED: Y ☒ N

**PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES**

**CARRIED: Y N**

[illegible]



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-4693

## Assessors Office

December 7, 2004

Joan Kaiser  
25 Walnut Street  
New Windsor, NY 12553

Re: 18-2-2      ZBA#: 04-77 (54)

Dear Ms. Kaiser:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$75.00, minus your deposit of \$25.00.

Please remit the balance of \$50.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO  
Sole Assessor

JTW/tmp  
Attachments

CC: Myra Mason, Zoning Board



18-1-2.1 & 22  
New Windsor Little League, Inc.  
P.O. Box 4024  
New Windsor, NY 12553

18-1-5  
Andrew & Suzanne Bederka  
8 Walnut Avenue  
New Windsor, NY 12553

18-1-6  
Deborah Hurd  
10 Walnut Street  
New Windsor, NY 12553

18-1-7  
Maryann Corbett  
12 Walnut Street  
New Windsor, NY 12553

18-1-8  
Richard & Eva Ezikian  
14 Walnut Street  
New Windsor, NY 12553

18-1-9  
Irene & Robert Walker  
16 Walnut Street  
New Windsor, NY 12553

18-1-11  
Thomas Abbruscato  
32 Memorial Drive  
Newburgh, NY 12550

18-1-12 & 18-4-3  
New Windsor Veterans Assoc., Inc.  
29 Walnut Street  
New Windsor, NY 12553

18-1-13 & 15  
Arthur Miller  
32 Walnut Street  
New Windsor, NY 12553

18-1-14.3  
Amoia Business Ventures, LLC  
c/o Anthony Amoia  
12 Ruscitti Road  
New Windsor, NY 12553

18-1-14.4  
Victoria Smith  
Patrick Macioce  
P.O. Box 255  
Wallkill, NY 12589

18-1-16.1  
Anthony, Joseph, Michael & Mark Amoia  
c/o A&R Concrete Products  
Ruscitti Road  
New Windsor, NY 12553

18-1-21  
Quassaick Fire Engine Co. of  
New Windsor, Inc.  
275 Walsh Avenue  
New Windsor, NY 12553

18-2-1  
Michael Menzie  
27 Walnut Street  
New Windsor, NY 12553

18-2-3  
Vicent & Priscilla Pallazzo  
23 Walnut Street  
New Windsor, NY 12553

18-2-4  
Joseph & Ann Chernek  
21 Walnut Street  
New Windsor, NY 12553

18-2-5  
James & Susan Stankiewicz  
c/o US Dept of HUD  
Att: Sec-held Notes – Room 6240  
P.O. Box 44813  
Washington DC 44813-4813

18-2-6  
Deborah & Robert McMillian, Jr.  
17 Walnut Avenue  
New Windsor, NY 12553

18-2-7  
Kenneth & Vivian Milczarski  
15 Walnut Street  
New Windsor, NY 12553

18-2-8  
Leonard & Virginia Golino  
13 Walnut Avenue  
New Windsor, NY 12553

18-2-9  
Michael & Jerrilyn Pisani  
11 Walnut Street  
New Windsor, NY 12553

18-2-10  
Shawn & Allison McGrath  
9 Walnut Street  
New Windsor, NY 12553

18-2-11  
John & Irene Clark  
5 Walnut Avenue  
New Windsor, NY 12553

18-2-18.1  
Sarah & Michael Lucas  
6 Locust Avenue  
New Windsor, NY 12553

18-2-19  
Robert & Richard Rodgers  
8 Locust Avenue  
New Windsor, NY 12553

18-2-20  
Donald Fanning  
Catherine & James Fanning  
10 Locust Avenue  
New Windsor, NY 12553

18-2-22  
David & Denise Wolfe  
12 Locust Avenue  
New Windsor, NY 12553

18-2-24  
Ronald & Cheryl Herbert  
16 Locust Avenue  
New Windsor, NY 12553

18-2-26  
Gordon & Barbara Jean Ray  
18 Locust Avenue  
New Windsor, NY 12553

18-2-27 & 28  
Christopher & Frances Welsh  
22 Locust Avenue  
New Windsor, NY 12553

18-3-1 & 18-3-27  
Scott Vanderessen  
Anita Zamzow  
24 Hickory Avenue  
New Windsor, NY 12553

18-3-4  
William Daley  
19 Locust Avenue  
New Windsor, NY 12553

18-3-7  
William Farrenkopf  
13 Locust Avenue  
New Windsor, NY 12553

18-3-21  
Anthony & Ann Marie Demarco  
Mary Lou Dooley  
12 Hickory Avenue  
New Windsor, NY 12553

18-3-24  
Martha Mylonas  
18 Hickory Avenue  
New Windsor, NY 12553

18-4-1  
CLM&B Enterprises, LLC  
24 Sloan Road  
Newburgh, NY 12550

18-4-5  
Richard & Sharon Steger  
202 MacArthur Avenue  
New Windsor, NY 12553

18-4-8  
New Windsor Equities, LLC  
214 MacArthur Avenue  
New Windsor, NY 12553

18-3-2  
Betty Jean Earley  
23 Locust Avenue  
New Windsor, NY 12553

18-3-5  
John & Marilyn Mellon  
17 Locust Avenue  
New Windsor, NY 12553

18-3-8  
Matthew & Amy Beekley  
11 Locust Avenue  
New Windsor, NY 12553

18-3-22  
Edward DeMatteis  
14 Hickory Avenue  
New Windsor, NY 12553

18-3-25  
Julia Dayton  
c/o Julia Araiza  
20 Hickory Avenue  
New Windsor, NY 12553

18-4-2  
Mar-Bet Realty, Inc.  
31 Walnut Street  
New Windsor, NY 12553

18-4-6  
Patricia Hoffman  
204 MacArthur Avenue  
New Windsor, NY 12553

18-4-9  
Aigner Index, Inc.  
218 MacArthur Avenue  
New Windsor, NY 12553

18-3-3  
Nicholas & Helen Ruscitti  
21 Locust Avenue  
New Windsor, NY 12553

18-3-6  
Thomas & Mary Ann Cimorelli  
15 Locust Avenue  
New Windsor, NY 12553

18-3-10  
Floyd & Margaret Farbert  
9 Locust Avenue  
New Windsor, NY 12553

18-3-23  
Joseph & Donna Hall  
16 Hickory Avenue  
New Windsor, NY 12553

18-3-26  
Terrance Berean  
22 Hickory Avenue  
New Windsor, NY 12553

18-4-4  
Michael Soricelli  
200 MacArthur Avenue  
New Windsor, NY 12553

18-4-7  
Classic Tool Design, Inc.  
31 Walnut Street  
New Windsor, NY 12553

18-4-10  
Harry Scherr III, Inc.  
24 Sloane Road  
Newburgh, NY 12550

**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**

**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 11-30-2004

FOR: ESCROW 04-77

FROM: JOAN KAISER

25 WALNUT STREET

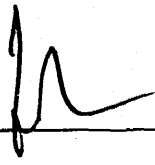
NEW WINDSOR, NY 12553

CHECK NUMBER: 1774

TELEPHONE: 561-8992

AMOUNT: 500.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

  
NAME \_\_\_\_\_ DATE 12/3/07

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

26A#04-77

**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#1192-2004**

12/03/2004

Kaiser, Joan  
25 Walnut St.  
New Windsor, NY 12553

Received \$ 150.00 for Zoning Board Fees, on 12/03/2004. Thank you for  
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk



# **Town of New Windsor**

**555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695**

## **ZONING BOARD OF APPEALS**

**November 30, 2004**

**Joan Kaiser  
25 Walnut Street  
New Windsor, NY 12553**

**SUBJECT: REQUEST FOR VARIANCE #04-77**

**Dear Ms. Kaiser:**

**This letter is to inform you that you have been placed on the December 13, 2004 agenda for the Zoning Board of Appeals to discuss your request for a variance at:**

**25 Walnut Street  
New Windsor, NY**

**This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.**

**Very truly yours,**

---

**Myra Mason, Secretary  
Zoning Board of Appeals**

**MLM:mlm**

**TOTAL CHARGES:** \_\_\_\_\_



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NY 12553  
(845) 563-4615 (MYRA MASON)



## ZONING BOARD PROCEDURES

**PLEASE READ PAGE ONE AND TWO OF THIS PACKAGE AND SIGN PAGE TWO**  
**IT EXPLAINS THE PROCEDURE TO BE FOLLOWED FOR YOUR APPLICATION.**

PLEASE COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

**RESIDENTIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**MULTI-FAMILY: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**COMMERCIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**INTERPRETATION: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".

### **ESCROW**

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

THE APPLICANT WILL BE BILLED DIRECTLY FOR THE PUBLIC HEARING ADVERTISEMENT IN THE "SENTINEL NEWSPAPER"

LIST OF PROPERTY OWNERS  
WITHIN 500 FT. RADIUS OF  
PROPERTY IN QUESTION:

APPROXIMATE COST FOR  
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES  
IS \$1.00 EA. ADDITIONAL  
NAME

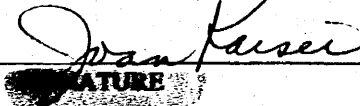
1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

**NOTE:**

**IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.**

**\*\* MUST READ AND SIGN \*\***

***I UNDERSTAND THAT I WILL BE BILLED DIRECTLY FOR MY "LEGAL NOTICE" TO BE PUBLISHED IN THE SENTINEL NEWSPAPER FOR MY PUBLIC HEARING....(this charge is not deducted from your escrow posted).***

  
SIGNATURE

11-29-04  
DATE

**NOTE:**

**THE ZBA MEETS ON THE 2<sup>ND</sup> AND 4<sup>TH</sup> MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.**

**PAGE 2**

**COMPLETE THIS PAGE** 





**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**



**APPLICATION FOR VARIANCE**

11-29-04

Date

Application Type: Use Variance ☐ Area Variance ☐  
Sign Variance ☐ Interpretation ☒

I. **Owner Information:** Phone Number: (845) 561-8992  
JOAN KAISER Fax Number: ( )  
(Name)  
25 WALNUT ST, NEW WINDSOR, NY 12553  
(Address)

II. **Applicant:** Phone Number: (845) 561-8992  
JOAN KAISER Fax Number: ( )  
(Name)  
25 WALNUT ST, NEW WINDSOR, NY 12553  
(Address)

III. **Forwarding Address, if any, for return of escrow:** Phone Number: ( )  
Fax Number: ( )  
(Name)  
(Address)

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number ( )  
Fax Number: ( )  
(Name)  
(Address)

V. **Property Information:**

Zone: \_\_\_\_\_ Property Address in Question: 25 WALNUT ST. NEW WINDSOR, NY  
Lot Size: 1956 SQ FT Tax Map Number: Section 18 Block 2 Lot 2  
a. What other zones lie within 500 feet? \_\_\_\_\_  
b. Is pending sale or lease subject to ZBA approval of this Application? No  
c. When was property purchased by present owner? JUNE 1981  
d. Has property been subdivided previously? No If so, When: \_\_\_\_\_  
e. Has an Order to Remedy Violation been issued against the property by the  
Building/Zoning/Fire Inspector? No  
f. Is there any outside storage at the property now or is any proposed? No

**\*\*\*\*PLEASE NOTE:\*\*\*\*\***

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF  
SUBMITTAL.**

**COMPLETE THIS PAGE**

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

*For the last 23 years I have owned the property at 25 Walnut St. I have made only changes that were approved after getting Town permits & CO's when necessary. When I purchased the house the second kitchen was already there & I was told that it was "grandfathered" in with the purchase of the house in June 1981. Only my family has lived in the house and I am requesting that no changes be made to the house as it currently exists. We frequently use both refrigerators & stoves. I cannot understand how changing it now is of benefit to anyone.*

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**OWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**X. SIGN VARIANCE:**

- (a) Variance requested from New Windsor Zoning Local Law,  
Section \_\_\_\_\_, Supplementary Sign Regulations

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign #1			
Sign #2			
Sign #3			
Sign #4			

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversized signs.

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- (c) What is total area in square feet of all signs on premises including signs on windows, face of building and freestanding signs \_\_\_\_\_?

**XI. INTERPRETATION:**

- (a) Interpretation requested of New Windsor Zoning Local Law,  
Section 300-8

- (b) Describe in detail the proposal before the Board:

*To approve a single family home with two kitchens.  
my house has never been a two family home even  
though my tax documents state 2 family.*

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**XII. ADDITIONAL COMMENTS:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- 
- 

**XIII. ATTACHMENTS REQUIRED:**

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
  - ☒ One in the amount of \$ 300.00 or 500.00 (escrow)
  - ☒ One in the amount of \$ 50.00 or 100.00 (application fee)
  - ☒ One in the amount of \$ 25.00 (Public Hearing List Deposit)
- ☒ **Photographs of existing premises from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)**

**XIV. AFFIDAVIT.**

STATE OF NEW YORK)

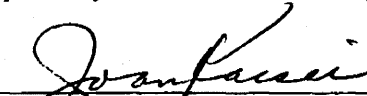
) SS.:

COUNTY OF ORANGE )

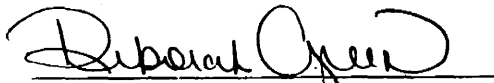
The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

29<sup>th</sup> day of Nov. 2004.

  
Owner's Signature (Notarized)

JOAN KAISER  
Owner's Name (Please Print)

  
Signature and Stamp of Notary

\_\_\_\_\_  
Applicant's Signature (If not Owner)

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

DEBORAH GREEN  
Notary Public, State of New York  
Qualified in Orange County  
# 4954065  
Commission Expires July 15, 2007

**COMPLETE THIS PAGE** 